# BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

----- In the Matter of -----)
OPEX COMMUNICATIONS, INC.

DOCKET NO. 04-0251

Notice of Failure to Comply With Hawaii Revised Statutes and Commission's Regulations; Order to Show Cause Why Respondent's Operating Authority Should Not Be Suspended or Revoked.

DECISION AND ORDER NO. 22545

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DIV OF CONSUMER ADVOCACY
CONSUMER AFFAIRS
STATE OF HAWAII

Filed June 20, 2006

At 10:30 o'clock A.M.

Karin Higrsc.

Chief Clerk of the Commission

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Decision and Order No. 22545

#### DECISION AND ORDER

By this Decision and Order, the commission vacates Order No. 21292, filed on September 7, 2004, in the matter of OPEX COMMUNICATIONS, INC. ("Respondent").

I.

## <u>History</u>

Pursuant to Hawaii Administrative Rules § 6-80-91, the commission ordered Respondent to appear at 465 South King Street, Room B3, Honolulu, Hawaii 96813, at 9:00 a.m., on October 6, 2004, to show cause why Respondent's certificate of authority should not be suspended or revoked for failure to file an annual financial report ("AFR") for 2002.

On September 22, 2004, Respondent filed its 2002 AFR.

II.

## Findings and Conclusions

The commission finds that Respondent has fully complied, although belatedly, with the commission's applicable laws, rules, and regulations, and concludes that Order No. 21292, filed on September 7, 2004, should be vacated.

III.

### <u>Orders</u>

THE COMMISSION ORDERS:

- 1. Order No. 21292 is vacated.
- 2. This Docket is closed unless otherwise ordered by the commission.

DONE at Honolulu, Hawaii \_\_\_\_\_\_JUN 2 0 2006

### PUBLIC UTILITIES COMMISSION OF THE STATE OF HAWAII

By Carlito P. Caliboso, Chairman Wa

By (EXCUSED)

Wayne H. Kimura, Commissioner

APPROVED AS TO FORM:

Janet E. Kawelo, Commissioner

Catherine P. Awakuni Commission Counsel

04-0251.eh

#### CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing <u>Decision and Order No. 22545</u> upon the following parties, by causing a copy hereof to be mailed, postage prepaid, and properly addressed to each such party.

JOHN E. COLE, EXECUTIVE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
DIVISION OF CONSUMER ADVOCACY
P. O. Box 541
Honolulu, HI 96809

OPEX COMMUNICATIONS, INC. 500 East Higgins Road Elk Grove Village, IL 60007

Karen Higashi

DATED: JUN 2 0 2006